

EXHIBIT 1

WILLIAM ANDERSON; July 7, 2010

Page 1

1 UNITED STATES DISTRICT COURT
2 WESTERN DISTRICT OF WASHINGTON AT SEATTLE

3 WILLIAM ANDERSON,)
4 Plaintiff(s),)
5 vs.) C09-0850 RAJ
6 THE BASEBALL CLUB OF SEATTLE)
7 d/b/a THE SEATTLE MARINERS;)
8 THE CITY OF SEATTLE; JASON)
9 WEAVING; LARRY HARVEY; LARRY)
10 MEYER; OFFICER TIMOTHY)
11 RENIHAN; TRENT BERGMAN;)
12 OFFICER DAVID SULLIVAN;)
13 OFFICER JUAN ORNELAS; JOHN)
14 DOE NOS. 1-10,)
15 Defendant(s).)

16 DEPOSITION UPON ORAL EXAMINATION OF
17 WILLIAM ANDERSON

18 10:10 A.M.

19 JULY 7, 2010

20 705 SECOND AVENUE, SUITE 1500

21 SEATTLE, WASHINGTON

22
23
24
25 REPORTED BY: MARY L. GREEN, CCR 2981

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1 A. Earlier that day, yes.

2 Q. Do you recall any actual sales that you made
3 that day, sales of Mariners tickets?

4 A. No. I can't remember.

5 Q. Did you have any physical contact with Officer
6 Renihan or the other police officers on June 18, 2006,
7 in the incident described in your complaint?

8 A. It's too vague.

9 Q. Too vague?

10 A. Vague, yeah.

11 Q. By physical contact, I mean did they come into
12 touching -- let me rephrase the question. Did they
13 ever touch you or did you ever touch them?

14 A. No.

15 Q. In your complaint, which is Exhibit Number 3
16 -- I think it's the one on your left there -- you'll
17 find that entry that describes the June 18, 2006,
18 incident. Do you think it would be handier if we
19 stapled that together?

20 A. Yeah. I think.

21 Q. I think, Mr. Anderson, somewhere around page 4
22 or 5 toward the bottom of that you describe the result
23 of your interaction with the officers; that you lost
24 sales and so forth. Can you find that portion?

25 A. The results of what?

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1 to court for those?

2 A. No, sir.

3 Q. Had you ever been cited before June 18, 2006,
4 for anything associated with ticket sales around the
5 stadium complex?

6 A. Repeat that again.

7 Q. Had you ever been cited prior to June 18,
8 2006, for ticket sale activities around the stadium
9 complex?

10 A. Have I ever been cited before?

11 Q. Before 2006, June 18.

12 A. Yes.

13 Q. Did you have to go to hearings associated with
14 that citation?

15 A. Yes.

16 Q. So what was it about the June 18, 2006, August
17 2, and August 27, 2006, citations that led you to
18 believe you wouldn't have to come to court for
19 hearings?

20 A. The difference was that I received citations
21 and there was several incidents where I did not receive
22 any citations.

23 Q. But on the ones where you received citations,
24 you had to go to hearings, correct?

25 A. Yes.

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1 A. Which one are you talking about, sir?

2 Q. August 2, 2006.

3 A. Yeah. They took my tickets from me.

4 Q. How many tickets?

5 A. I believe it was two.

6 Q. Where did you get the tickets?

7 A. Bought it from a customer.

8 Q. How much did you pay for it?

9 A. Can't remember.

10 Q. Do you have that information recorded anywhere
11 so that you can figure out what you paid for them?

12 A. No.

13 Q. How many tickets had you sold that day?

14 A. Can't remember.

15 Q. Do you know if you'd sold any?

16 A. Sure I sold some that day.

17 Q. How can you be sure?

18 A. Once again, I'm sure I sold some that day.

19 Q. Can you articulate why you're sure you did?

20 A. No.

21 Q. Mr. Anderson, if you are in the process of
22 trying to sell tickets outside of the Mariners game
23 after you've purchased them from fans or from whatever
24 source you get them from, do I understand correctly
25 that the method is essentially to make it known to

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1 Q. Let's turn to April 14 of 2009, the next
2 incident in your complaint. Were tickets taken from
3 you on April 14 of 2009?

4 A. Yes.

5 Q. How many?

6 A. Two.

7 Q. How do you know that?

8 A. Because there were two tickets I was selling
9 to the customer that I had across the street from the
10 Mariners stadium.

11 Q. I'm sorry, Mr. Anderson. I missed the first
12 three words of that sentence. Will you repeat it for
13 me?

14 A. I had a customer when we were approached. He
15 was interested in buying two tickets from me, and those
16 are the two tickets that were taken from me.

17 Q. And which officer took those tickets from you?

18 A. It was actually two officers there at the same
19 time. I can't remember who I gave the tickets to. I
20 just know that they grabbed the tickets from me.

21 Q. Where did you get those tickets?

22 A. I bought them.

23 Q. From who?

24 A. I can't remember who I bought it from, but I
25 bought them from a customer that was outside selling

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1 He just asked for my ID, and then another
2 gentleman came, taller gentleman came, and they asked
3 for my ID and asked for the tickets. I gave them the
4 tickets, and then I told them I didn't do nothing
5 wrong.

6 I said -- the gentleman even explained to them
7 that we were coming across the street to close the deal
8 and that I explained to him that we needed to go across
9 the street if he wanted to get some tickets from me.

10 So I requested to get the guy's information,
11 his ID information so he could be my witness, and they
12 refused to let me get his information. They told him
13 to go ahead and walk across the street and get out of
14 here or not get out of here but just go across the
15 street and get away.

16 After that I had called 911 immediately during
17 all this, because I wasn't sure who they were, and I
18 just wanted to get some assistance from an officer who
19 could sort this out, because I was getting tired of
20 getting harassed by the officers, so I called 911 to
21 get an officer to come down.

22 Right when I called the tall gentleman who
23 came across the street, who was an off duty officer, I
24 suppose, he got on his phone and called somebody and
25 was like -- I don't know exactly what he said, but all

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1 incidents were allegedly observed.

2 There's an objection, and then the answer
3 says, "Plaintiff believes that he has witnessed these
4 incidents at almost every game he has worked.
5 Investigation and discovery is continuing. This answer
6 may be supplemented."

7 Can you tell me of any particular instance
8 where you've seen police department officials ignoring
9 mobile vending going on around the stadium?

10 A. Other than tickets?

11 Q. Other than tickets.

12 A. Yes.

13 Q. Tell me a specific instance.

14 A. People selling parking tickets. People that
15 got illegal -- main thing that I've witnessed is the
16 parking, people selling parking tickets.

17 Q. Does that occur up by the parking facility
18 there that's by the stadiums?

19 A. It occurs all around the stadium.

20 Q. Where are the people selling tickets to park?

21 A. On the Mariners property.

22 Q. Where on the Mariners property?

23 A. They're just -- they're -- they're basically
24 selling them wherever they can sell them. It doesn't
25 matter.

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1 Q. Are these people who are standing by lots to
2 entice people to come in and park in the lot?

3 A. All I know is that they're standing by the
4 lots. They're just trying to sell their parking
5 tickets.

6 Q. So they're trying to fill up the lots around
7 the stadium by --

8 A. No. These are people that have extra parking
9 tickets that are Mariner fans.

10 Q. Are any of these people on the sidewalks that
11 are actually adjacent to the Safeco Field facility?

12 A. You got people that are adjacent. You got
13 people that are on Mariners property selling parking
14 tickets.

15 Q. I'm confused, because wouldn't the people that
16 are already by the stadium, wouldn't they have already
17 parked someplace?

18 A. Sometimes they have extra tickets.

19 Q. Extra --

20 A. I mean extra parking tickets.

21 Q. I understand, but why would they try to sell
22 them to people who have already parked someplace?

23 A. They're trying -- they're actually trying to
24 catch people -- sometimes they try to approach us to
25 buy a parking ticket along with their tickets or they

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1 might be trying to sell them to somebody that's driving
2 by because they know they're going to the game and so
3 they're trying to catch them before they go into the
4 parking lot so they can sell their parking tickets to
5 them that are actually, you know, parking tickets for
6 the Mariners parking lot.

7 Q. The Mariners parking lot, are you talking
8 about the parking facility that is toward downtown and
9 a little bit toward I-5 from Safeco Field?

10 A. No, sir.

11 Q. Which Mariners parking facility are you
12 talking about?

13 A. The one that's located off of Occidental and
14 Edgar Martinez.

15 Q. Okay. And it requires a ticket to get in?

16 A. It requires a parking ticket to get in, yes.

17 Q. Have you ever seen police officers or law
18 enforcement officers observe these sales and ignore
19 them?

20 A. Actually, I really don't pay attention, but I
21 notice that they never get harassed for selling parking
22 tickets.

23 Q. Have you seen anything else in the way of
24 selling of mobile vending of items other than tickets
25 to the sporting events near the stadium that have been

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1 ignored by law enforcement?

2 A. That's the only thing I can think of right
3 now.

4 Q. Have you seen other ticket sellers issued
5 citations for selling tickets?

6 A. Yes, sir.

7 (Mr. Mullins left the room.)

8 Q. (BY MR. BUCK) Who?

9 A. I've just witnessed people being given
10 citations.

11 Q. Have you seen Ben issued citations for selling
12 anything?

13 A. No.

14 Q. How about Andre?

15 A. I've witnessed -- I've witnessed one
16 situation, I believe, where he was harassed by
17 officers.

18 Q. How about Matt -- I don't know his last name.
19 How about Matt?

20 A. There's been a lot of situations over the
21 years. I can't remember them all.

22 Q. Can you tell me specifically whether you've
23 seen Matt approached by officers for selling tickets?

24 A. I can't remember exactly when, but I've seen
25 Matt approached.

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1 A. I'm not sure.

2 Q. Now, I think what prompted that question was
3 your statement that you had done a lot of research back
4 when you were trying to get a permit. Did I understand
5 that correctly?

6 A. I've done a lot of research, yes.

7 Q. And before you went in to seek that permit,
8 what sort of research did you do?

9 A. Checked to see on the bonding, how much the
10 bonding insurance was, getting information from SDOT on
11 the correct way on the process of selling tickets, just
12 filling out an application to apply and do everything
13 the correct way.

14 Q. Did you actually go to SDOT to ask them about
15 the permitting process?

16 A. Yes, I did.

17 Q. Do you remember who you talked to?

18 A. It was a gentleman that was in the front
19 office. The gentleman's name was Keith.

20 Q. Do you remember what kind of a permit you
21 applied for in 2005?

22 A. It was a permit, street permit, street use
23 permit.

24 Q. Was that for a fixed location?

25 A. Yes, it was.

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1 A. I don't recall. I don't remember.

2 Q. In 2005, were you successful in getting the
3 permit?

4 A. I was told by the gentleman that worked in
5 SDOT -- I can't remember if it was Keith Miller, but
6 the gentleman that I was dealing with on a consistent
7 basis when I was going to SDOT, he said that the City
8 attorney gave him the go that it was okay and that it
9 was legal to do so, but he told me he was not going to
10 give it to me.

11 Q. Did he tell you why he wasn't going to give it
12 to you?

13 A. He just told me he didn't want to give it to
14 me.

15 Q. Do you remember any reason given by Mr. Miller
16 for why you were not going to get that permit?

17 A. He just told me he didn't want to give it to
18 me.

19 Q. Do you know, Mr. Anderson, whether your effort
20 to obtain the permit was before or after the city
21 council revoked the anti-scalping law?

22 A. Repeat that question again, please.

23 Q. Sure. Let me ask a more fundamental question.
24 Are you aware that the City used to have a law that
25 prohibited scalping tickets?

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1 A. Was I aware then or now?

2 Q. At any time have you been aware of that?

3 A. I'm aware of that now.

4 Q. You're aware of it now?

5 A. But I was aware of it also as of yesterday
6 too.

7 Q. Do you know when the City revoked that
8 ordinance, the anti-scalping ordinance?

9 A. I have no idea.

10 Q. We went through a list of folks that sell
11 tickets around the stadium a little earlier. We went
12 through quite a few names there. Do you know any other
13 ticket sellers that are routinely out there trying to
14 get rid of or trying to sell Mariners tickets?

15 A. Yes, I do.

16 Q. Who are the other ones you know?

17 A. I know a guy named Van.

18 Q. Do you know Van's last name?

19 A. I'm not sure.

20 Q. Would his number be in your phone by any
21 chance?

22 A. No.

23 Q. Do you know any others?

24 A. I know Eric.

25 Q. Eric?

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1 A. Not true.

2 Q. When did you next try to get a permit?

3 A. I made an attempt several months ago.

4 Q. In 2010?

5 A. Yes, sir.

6 Q. Tell me about that effort.

7 A. We went to SDOT to -- I went to SDOT to apply,
8 and a gentleman up there -- and I can't remember his
9 name -- basically he told us that there was no way that
10 I can get an application to get a permit to sell
11 tickets.

12 Q. You don't remember that fella's name?

13 A. No, I don't.

14 Q. Were you alone when you went up and talked to
15 that gentleman?

16 A. No, sir.

17 Q. Who was with you?

18 A. I had a lady with me.

19 Q. Who was that lady?

20 A. I forgot her name. It was a lady that went
21 with me. I forgot her name.

22 Q. Why was she with you?

23 A. She was going with me to see exactly if they
24 were going to allow me to get a permit or not.

25 Q. Why did she have any interest in that?

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1 A. So what was the question again, sir?

2 Q. Mr. Young told you that SDOT doesn't issue
3 mobile vending permits?

4 A. Basically that's what he said.

5 Q. Did he tell you you couldn't apply for one of
6 the other permits that they do issue around the
7 stadiums?

8 A. We never really spoke on that issue.

9 Q. Have you ever attempted since 2005 to obtain
10 any other kind of a permit, any permit other than a
11 mobile vending permit in order to lawfully sell tickets
12 around the stadium?

13 A. No, sir.

14 Q. Have you done any research as to whether or
15 not that is an option?

16 A. No, sir.

17 Q. Do you know what the difference is between a
18 stadium vending permit and a mobile vending permit?

19 A. No, sir.

20 Q. Have you ever investigated where City
21 ordinances allow mobile vending to occur in the city of
22 Seattle?

23 A. No, sir.

24 (Deposition Exhibit 6 was marked for
25 identification.)

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1 argue about that.

2 MS. MATHEWS: I hope we won't have to
3 argue about that.

4 MR. FORD: However, I do have a couple
5 questions of my own.

6 EXAMINATION

7 BY MR. FORD:

8 Q. Mr. Buck asked you some questions earlier
9 having to do with seeing people selling things around
10 the stadium. Have you ever seen anybody selling like
11 hats or anything like that or team kind of things
12 around the stadium?

13 A. Yes, I do.

14 Q. And have you seen them selling -- you know
15 those lights that people have they can put around their
16 neck?

17 A. Yes. They sell lights. I forgot what they
18 call them. Fluorescent green lights.

19 Q. What about peanuts, popcorn, Cracker Jack?

20 A. Peanuts, popcorn, Cracker Jacks. They walk
21 around and they sell candy bars. Sometimes I see them
22 walking around selling ice cream.

23 Q. Do you know anything about what kind of
24 permits those people have?

25 A. I have no idea.

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1 Q. Have you seen those people harassed by the
2 police or ticketed by the police?

3 A. No.

4 Q. Mr. Buck asked you some questions about a cell
5 phone that you've got some pictures on.

6 A. Correct.

7 Q. Can you explain a little bit about what the
8 status of that cell phone is and why?

9 A. The reason why we don't have the pictures is
10 because the cell phone screen is broke, so we're
11 waiting. We're going to get it repaired as soon as
12 possible.

13 MR. FORD: And I'll just tell you we
14 want to make sure we don't do anything that erases
15 them, so that's why we've been careful.

16 Q. (BY MR. FORD) Now, the complaint, do you have
17 that? Where is that? Here we go. Exhibit Number 3.
18 And I just want to make sure you know what we're
19 talking about with all these different dates. Can you
20 take a look, please, at this June 18, 2006,
21 description? Have you had a chance to read that over?

22 A. Yes.

23 Q. I actually asked you to read that over earlier
24 at the break, right?

25 A. Yes, sir.

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CORRECTION & SIGNATURE PAGE

RE: ANDERSON v. THE BASEBALL CLUB OF SEATTLE;
 USDC; C09-0850 RAJ;
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Reported By: Mary L. Green

I, WILLIAM ANDERSON, have read the within transcript
 taken July 7, 2010, and the same is true and accurate except
 for any changes and/or corrections, if any, as follows:

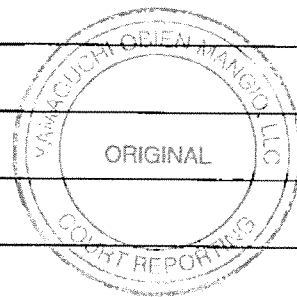
PAGE/LINE	CORRECTION	REASON
79:24	I'm not sure	Upon review of the question in my transcript, I'm not sure.

88:8	I spoke to an African American Officer. His name might not be Daman.	Upon review of the question in my transcript, I'm not sure.
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RECEIVED

AUG 13 2010

YAMAGUCHI OBIEN & MANGIO



Signed at Seattle, Washington, on this
 date: August 12, 2010.


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REPORTER'S CERTIFICATE

I, MARY L. GREEN, the undersigned Certified Court Reporter, pursuant to RCW 5.28.010 authorized to administer oaths and affirmations in and for the State of Washington, do hereby certify:

That the sworn testimony and/or proceedings, a transcript of which is attached, was given before me at the time and place stated therein; that any and/or all witness(es) were duly sworn to testify to the truth; that the sworn testimony and/or proceedings were by me stenographically recorded and transcribed under my supervision, to the best of my ability; that the foregoing transcript contains a full, true, and accurate record of all the sworn testimony and/or proceedings given and occurring at the time and place stated in the transcript; that I am in no way related to any party to the matter, nor to any counsel, nor do I have any financial interest in the event of the cause.

WITNESS MY HAND AND DIGITAL SIGNATURE this 14th day of July, 2010.

MARY L. GREEN
Washington State Certified Court Reporter, #2981
mgreen@yomreporting.com

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